



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 8942 OF 2026 (GM-RES)

BETWEEN:

SMT. AKSHATHA MOHAN
W/O SRI. SOHAM GAGGRANI,
AGED ABOUT 34 YEARS,
RESIDING AT NO.46,
1ST MAIN, 3RD CROSS,
2ND PHASE, 7TH BLOCK,
BSK 3RD STAGE, BANGALORE - 560 085.
REPRESENTED BY G.P.A HOLDER
SMT. AMRUTHA G.V
W/O SRI. B. MOHAN
AGED ABOUT 56 YEARS,
RESIDING AT NO.46, 1ST MAIN,
3RD CROSS, 2ND PHASE,
7TH BLOCK, BSK 3RD STAGE,
BANGALORE - 560 085.

...PETITIONER

(BY SMT. PRASHANTHI A.L, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
DEPARTMENT OF REVENUE,
M.S. BUILDING, BENGALURU - 560 001.
REP. BY ITS PRINCIPAL SECRETARY.
2. DEPUTY COMMISSIONER,

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



BANGALORE CITY DISTRICT,
KANDAYA BHAVANA, K.G.ROAD,
BENGALURU - 560 009.

3. KARNATAKA REAL ESTATE
REGULATORY AUTHORITY,
2ND FLOOR, SILVER JUBLIEE,
BLOCK UNIT BUILDING, CSI COMPOUND,
BENGALURU - 560 027,
REP. BY ITS SECRETARY.

4. M/S. OZONE URBANA INFRA
DEVELOPERS PRIVATE LITIMED,
NO.38, ULSOOR ROAD,
BANGALORE - 560 042.
REP. BY ITS AUTHORISED SIGNATORY/ MANAGER

...RESPONDENTS

(BY SRI. SHAMANT NAIK, AGA FOR R1 AND R2;
SRI. RAJASHEKAR K, ADVOCATE FOR R3;
VIDE ORDER DATED 09.07.2026, NOTICE TO R4
DISPENSED WITH)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO-DIRECTING THE R2
TO IMPLEMENT THE RECOVERY CERTIFICATE DATED
06.06.2024 IN RERA/REVENUE/01037/2023-24/2674 PASSED
BY THE R3 IN FAVOUR OF THE PETITIONER VIDE ANNEX-E AND
ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY
HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



ORAL ORDER

1. Learned Additional Government Advocate accepts notice for respondent Nos.1 and 2. Sri. K. Rajashekar, learned counsel accept notice for respondent No.3.
2. Notice to respondent No.4 is deferred for now, in view of the proposed order to be passed.
3. Petitioner is before this Court seeking for the following reliefs:
 - a. *To issue a Writ of Mandamus directing the 2nd Respondent to implement the Recovery Certificate Dt.06/06/2024 RERA/Revenue/01037/2023 passed by the 3rd Respondent in 24/2674 favour of the Petitioner vide ANNEXURE 'E'.*
 - b. *To Direct the 4th Respondent Builder to deposit the entire refund amount as ordered by KRERA directly into the Petitioner's loan account maintained with the HDFC Bank.*
 - c. *To grant such other Writ as this Hon'ble Court deems fit in the above circumstances of the case.*
4. Respondent No.4 against whom the recovery certificate is sought to be implemented has been admitted to insolvency proceedings in CP(IB) No.119/BB/2021.



NC: 2026:KHC:34935
WP No. 8942 of 2026

5. Reserving liberty to the petitioner to approach the National Company Law Tribunal (NCLT) in CP(IB) No.119/BB/2021, the petition stands ***disposed***.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

GJM
List No.: 1 Sl No.: 6